

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

DARYL THOMAS)
)
v.) NO. 3-07-1122
) JUDGE CAMPBELL
IRVING MATERIAL, INC.)


ORDER

Pending before the Court are a Report and Recommendation of the Magistrate Judge (Docket No. 41) and Objections filed by the Plaintiff (Docket No. 43).

The Court has reviewed the Report and Recommendation, the Objections, and the file. The Objections of the Plaintiff are overruled, and the Report and Recommendation is adopted and approved.

Accordingly, Defendant's Motion for Summary Judgment (Docket No. 32) is GRANTED, and this action is DISMISSED. The jury trial set for November 18, 2008, and the pretrial conference set for November 10, 2008, are canceled. This Order shall constitute the final judgment in this case pursuant to Fed. R. Civ. P. 58.

IT IS SO ORDERED.



TODD J. CAMPBELL
UNITED STATES DISTRICT JUDGE